

Remarks

I. SUMMARY

Claims 33 and 88-126 were examined. In the Final Office action, the Examiner rejected claims 33 and 88-125 as follows:

1. The Examiner rejected claims 33 and 90 and 95-103, 107-110 and 117-125 under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Pat. No. 6,895,430 (“Schneider”). Office action, page 3.

2. Claims 92-94 were rejected under Section 103(a) of the patent law as unpatentable over Schneider in view of Greene et al. (claims 92-94). See Office action, page 8 et seq.

3. Claims 88, 89, 91, 104, 105, 106 and 111-116 were rejected as unpatentable over Schneider in view of Hollenbeck et al., U.S. 2005/0102354. See Office action, page 9.

In the present reply, claims 33, 88, 90, 92-96, 109, 110, 111, 124 and 125 are currently amended. Claims 89 and 99-106 and 126 are canceled. New claims 127-130 are added. Applicant respectfully traverses the rejections and requests reconsideration for the reasons set forth below. Most of the rejections are based on the same or similar grounds as the prior action.

II. CONTINUED EXAMINATION

A Request for Continued Examination is submitted herewith requesting entry of the present amendments, and withdrawal of the finality of the last Office action. Applicant would call the Examiner’s attention in particular to the following matters, in an effort to narrow the remaining issues and advance prosecution:

1. In section II below, Applicant responds to the specific arguments articulated by the Examiner in the last action, except as noted below.

2. Applicant cancels claims 101-106, so they are not discussed further.

3. Claims 92-94, 95-98, 104-106, 117, 123 and 125 are not argued as being independently patentable. Accordingly, they will rise or fall with the corresponding independent claims.

4. Claim 33 is amended, and new claim 127 is drafted, in both cases so as to include “a plurality of communication connections directly into the registry”. The ability to employ multiple communication connections (or “threads”) into the Registry is key to winning the

race to register a domain name immediately after it becomes available, before a competitor gets the name, as further discussed below. See specification, for example, at [0048] to [0058]. That is, multiple, substantially contemporaneous requests to register the domain name leads to a higher probability of success in obtaining a newly-released domain name than a single “add command” from any one registrar standing alone. In accordance with this aspect of the invention, the authorized connections or “threads” of multiple cooperating registrars are leveraged. Support is found, for example, see FIGS. 4-5 and paragraphs 0058-0059. These are also called partner or affiliated registrars. See paragraph 0061. There is no hint of this novel cooperative approach in the prior art of record.

5. Claim 88 is amended into independent form as further discussed below.

III. ALLEGED ANTICIPATION

Status of claims

Claims 33, 90, 95-103, 107-110 and 117-125 were rejected in the final Office action as allegedly anticipated by Schneider. Among those claims, claim 90 is discussed later in Section IV, where claim 89 is discussed, because claim 90 depends from claim 89.¹ Claims 95-98 are not argued as being independently patentable, so they will rise or fall with the corresponding base claims. Claims 99-103 are canceled, so they are not discussed further. The limitations of claims 99-100, now canceled, are included in claim 33, as currently amended.

Accordingly, the remaining remarks in this section are directed to (A) claim 33; (B) claim 90; (C) claims 107-110 and (D) claims 117-125.

1. Immediately and automatically effecting a new registration is not taught by Schneider.

As per Claim 33, Applicant agrees that Schnieder discloses notification of “identifiers that may soon be available” [for registration]. See column 7. But *notification of a list of names* does not anticipate the claim language of, “immediately and automatically effecting the succeeding registration to the interested party when the status of the first registration indicates that the domain name is registrable, without further action by the interested party.” A reader of the Schneider list may seek a new registration, but, short of “immediately and automatically effecting the succeeding registration,” as claimed here, he almost certainly will

¹ As explained in Section IV, claim 90 is currently amended to depend from claim 88.

lose the race to grab a valuable name. The invention of claim 33, by contrast, removes reliance on the user's (probably futile) effort to try to register the name.

Referring to Schneider column 24, the Examiner responded that, "the interested party is inherently monitoring the availability of the domain name ... and would jump on it as soon as he gets a chance." Office action, page 12. A user's interest in a name at any given time does not necessarily assure that the user is actively monitoring the status of that name. Applicant respectfully disputes that the interested party is "inherently monitoring," and requests that the Examiner provide evidence to support the alleged inherency. In any event, even if such monitoring were established, manually "jumping on it" (i.e., contacting the registrar and sending in a request for a registration) in response to a notification is very assuredly too slow and too late to be effective in what is already a highly competitive and contested environment. As explained in the present application:

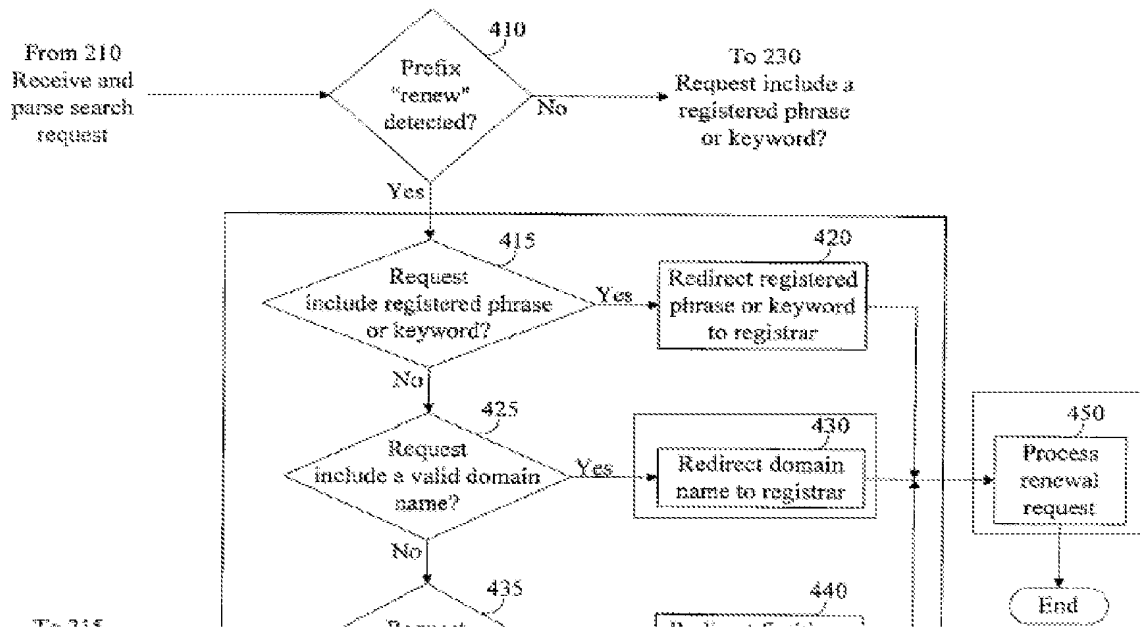
"If a registrant mistakenly forgets to renew the registration and the name becomes available, the former registrant would have to attempt to re-register the domain name as quickly as possible, before some other entity requests registration of that name. Registrants have never had an efficient and reliable system to prevent inadvertent loss of a domain name registration. Neither have registrants nor other interested entities had a means for ensuring successful registration of a domain name once it becomes available." Specification at [0012].

Again, *distributing a list* of possible names, as disclosed by Schneider, and even taking a reservation or pre-ordering in a queue are known, but these steps fall short of immediately and automatically effecting a new registration, as required by the plain language of claim 33. In a nutshell, the present claims describe systems and methods for immediately and automatically "grabbing" a desired domain name when it becomes available, thereby acquiring the registration for an interested party before any other party can do so. This is achieved through cooperation, in various embodiments, with one or more Registrars and or the relevant Registry. See paragraphs 0048-0054 in the Specification. As explained below, nothing disclosed in Schneider would have enabled the automatic acquisition of a domain name as claimed herein.

2. Schnieder does not teach marshalling a platoon of cooperating Registrars to grab a newly-available domain name, creating an "add storm" [0054].

Claim 33 is currently amended to include the limitations of claims 99 and 100, now canceled. The claim is patentable for at least the following reasons. The Examiner rejected claims 99 and 100 (final Office Action, page 4, last paragraph), relying on citation to

Schneider, figure 4a and column 16, lines 29-55. That figure shows, in pertinent part (with red rectangles around 430 and 450 added):



The prior art

The illustrated process merely looks up the sponsoring Registrar for the domain name in the user request, and, according to Schneider: “When it is determined in step 415 that the request does not include a registered phrase or keyword, then it may be determined in step 425 whether the request includes a valid domain name. If so, then the valid domain name is redirected in step 430 to a registrar for the purposes of processing in step 450 a renewal registration request.” (Emphasis added, column 16, lines 42-48.) “A registrar” in this context necessarily is the one registrar currently sponsoring to the valid domain name. Only that particular registrar is permitted to effect the conventional renewal request 450 disclosed by Schneider. As explained in Hollenbeck (overview of shared registration system):

“Registrars access the registry through a registry-registrar protocol (RRP) to register domain names and perform domain name-related functions such as the registration of name servers, renewal of registrations, deletions, transfers, and updates to domain names registered by that registrar.” ([0036], emphasis added.)

In other words, a registrar cannot modify an existing registration hosted by a different registrar. (Havoc would result!) That is why, “Registry 114 maintains at least the DNS

information and an identifier for the registrar responsible for each domain name registered through registry 114.” See [0043].

Applicant’s amended Claim 33 describes a new paradigm

Conventionally, each authorized registrar would initiate a communication session (or “thread” into the registry, using RRP or the like, as needed to maintain and update the records sponsored (or “hosted”) by that registrar. After a registration is purged from the registry, however, there is no longer any particular Registrar associated with that name. At that point, the lookup shown in Schneider figure 4a would fail. But this is where the new methodology of claim 33 takes hold. The claim calls for:

“wherein effecting the succeeding registration includes initiating multiple, substantially contemporaneous requests to register the domain name; and further wherein the multiple requests to register the domain name are transmitted directly to the registry via a plurality of communication channels, the communication channels being associated with multiple affiliated domain name registrars.”

This novel concept—marshalling multiple registrars to work in concert—is illustrated, in one embodiment, in Applicant’s FIG. 3B reproduced below, in which multiple communication paths are shown labeled “D” for reference.

Expiring Domain Name Acquisition Cluster

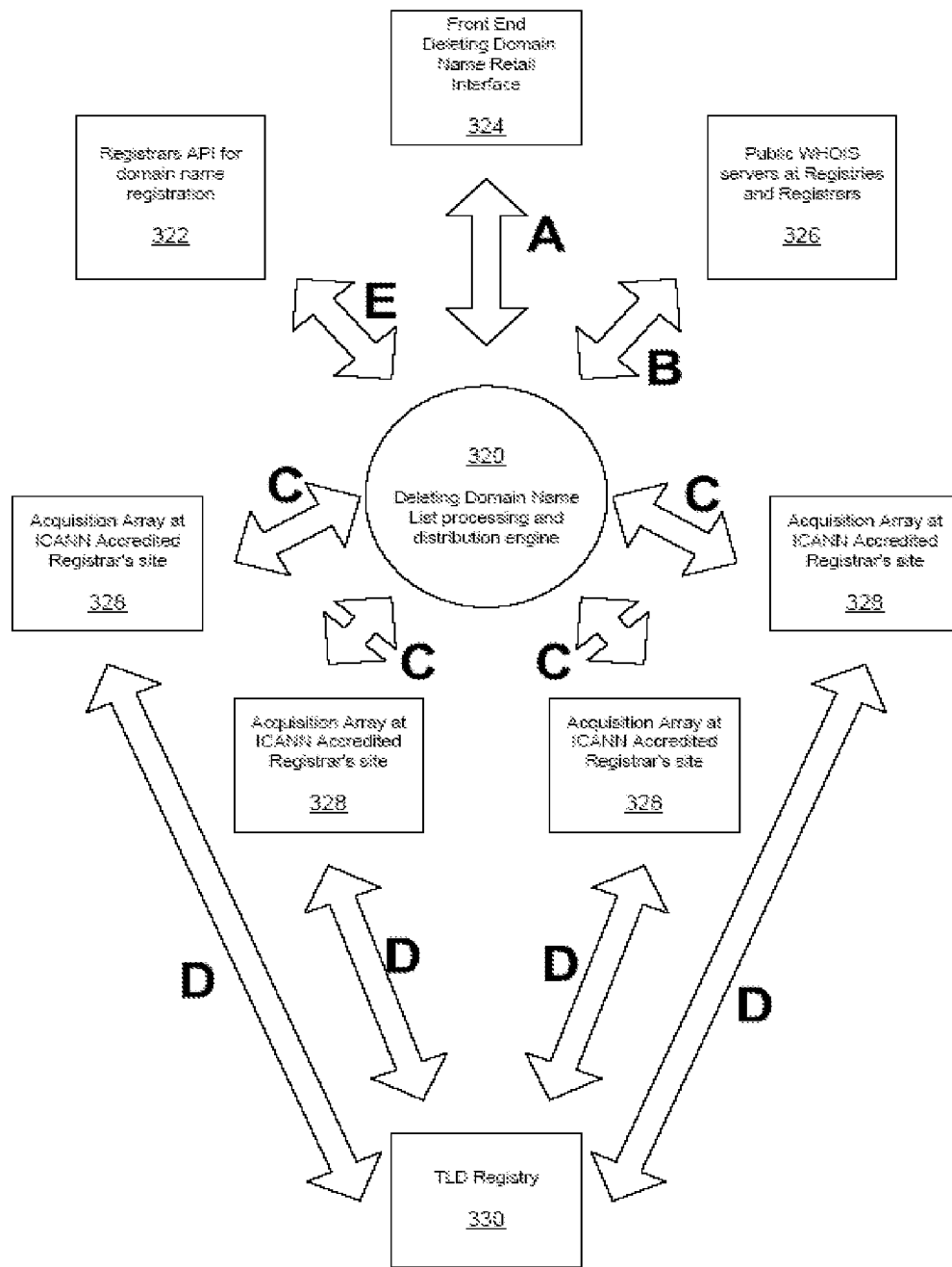


FIG. 3B

This limitation is not disclosed by Schneider. As explained in the Specification, this methodology substantially increases the likelihood of success in acquiring the name. See paragraphs 0053-0056. Accordingly, claim 33 as amended should be allowed.

IV. REJECTIONS ALLEGEDLY BASED ON OBVIOUSNESS

Status of claims

Claims 92-94 were rejected under Section 103(a); final Office action, page 8. Applicant does not argue these claims as being independently patentable, so they will rise or fall with the corresponding base claim.

The Office rejected claims 88, 89, 91, 104-106 and 111-116 as being unpatentable over Schneider in view of Hollenbeck. See Final Office action, page 9. Claims 104-106 are now canceled. Applicant currently amends claim 88 into independent form to include some of the limitations of claim 33 and of claim 89, with additional clarification of the language. Claim 89 is canceled. Corresponding amendments are also made to correct dependency of claims 90, 92, 93, 94, 95 and 96, all to depend from claim 88.

Accordingly, the issues focus on amended claim 88, the claims that depend from it, and on claims 111-116, discussed in turn below.

A. Claim 88

Amended claim 88 now reads as follows:

“88. (Currently amended) A method ~~according to claim 33~~ for domain name management comprising:
identifying a domain name with a first registration;
identifying an interested party desiring a succeeding registration for the domain name;
monitoring a status of the first registration;
immediately and automatically effecting the succeeding registration to the interested party as soon as possible after the status of the first registration indicates that the domain name is registrable, without further action by the interested party,
further comprising wherein said immediately and automatically effecting the succeeding registration includes determining an expected deletion date for the first registration;
defining a time period on or about the expected deletion date for monitoring the status; and
periodically checking the status within the time period so as to detect the domain name status change as soon as possible after it occurs.”

With regard to claims 88 and 89, these claims were amended previously to recite, “A

method according to claim 33, further comprising determining an expected deletion date for the first registration.” That limitation remains in newly-amended independent claim 88, above. It is essential to distinguish an EXPIRATION DATE of a domain registration from a DELETION DATE as is recited in claim 88. The expiration date is easy – it’s listed in WHOIS or in the sponsoring Registrar database. The deletion date is hard to predict, because it can vary, and the deletion date is critical because deletion determines when a name becomes available for registration.

In the final Office action, responding to Applicant’s earlier arguments, the Examiner stated that Schneider discloses an expiration date and that...

“[I]t is inherent that when expiration occurs, there is ‘deletion’, then registration, which could be either renewal or a new [registration] for the domain name of the WHOIS record [which] is parsed and compared in step 954 to the current date. When the difference between the expiration date and current date is determined in step 958 to be less than a predetermined threshold value (e.g., 30 days), a client may be notified in step 962 that the domain name may soon be available.”

Office action, paragraph bridging pages 12-13. Applicant does not agree that deletion is inherent in expiration. To the contrary, deletion often does not follow expiration. Rather, most registrations are renewed by the existing registrant and thus will not be subject to deletion. In any event, that teaching is all based on the *expiration* date. This is shown explicitly in Schneider figure 9b. It does not teach or suggest the limitations of claim 88 set forth above, for at least the following reasons. It is understood (and well known) that a user may periodically check the status of a registration. Note, however, that the language of claim 88 calls for determining an expected deletion date, and periodically checking the status during a time period on or about the expected deletion date, and further that these steps are included within the steps of “immediately and automatically effecting the succeeding registration.” These steps thus are part and parcel of the claimed method of *automatically* grabbing a name as soon as possible after it becomes available. Merely manually checking a name status, as in prior art, would not render this process unpatentable.

In the final Office action, the Examiner also acknowledged that:

“Schneider fails to teach explicitly further determining a deletion time period during which the first registration is expected to delete from the registry; and during the deletion time period but prior to deletion from the registry, requesting a next registration of the domain name [to] succeed the first registration.” Office action, page 10.

The Examiner refers to Hollenbeck (page 3, [0042]) as teaching requesting a registration (or modification of a registration) prior to deletion. Hollenbeck explains that a “Registrar ... may access registry 114 through RRP to register domain names and perform other domain name functions such as ... re-registrations, deletions, transfers, and updates to domain names registered by that registrar.”² That is all true but irrelevant to applicant’s claim. The host registrar may indeed do all those things, but by definition they can occur only prior to deletion of the registration from the registry. Claim 88 is directed to registration *after* a name becomes generally available, i.e., *after* deletion from the registry. Claim 88 is believed patentable over the art of record.

B. Claims 90 and 91

Claim 90 was rejected as *anticipated* by Schneider, see Office action, page 4. However, it depends from claim 88, which was rejected under Section 103(a) as unpatentable over Schneider in view of Hollenbeck (Office action, page 9). If claims 88 and 89 are not anticipated by Schneider, *a fortiori* claim 90 would not be anticipated.

In any event, claim 90 (now dependent from claim 88) calls for: “checking the status at a predefined frequency during the time period.” The Examiner cites to a passage in Schneider (20:10-19) that reads as follows:

“When a domain name is received as input to a registration service, the availability of the domain name is determined. If the domain name is not available, registrant information is returned and the client is notified that the domain name in question is not available and may provide the option of checking the availability of other domain names. When a domain name is available, a user may be presented with the choice of registering the domain name. Upon completion of registration, another domain name may then be checked for availability.”

That passage reveals no hint of checking the status at a predefined frequency as claimed here. As the Examiner doubtless is aware, “[a]nticipation under § 102 requires the presence in a single prior art disclosure of all elements of a claimed invention arranged as in that claim.” *Sandt Tech. v. Resco Metal and Plastics Corp.*, 264 F.3d 1344, 1350 (Fed. Cir. 2001)

² Note: It is important to distinguish here between two types of deletions. A registrar “deleting” a name is a process that releases the name from registrar control to registry control. The name still is not available for anyone to register. A registry deleting a name is the more commonly regarded process of deletion, whereby the name is available for new registration.

(quotations and citations omitted) (emphasis added). *See also* MPEP § 2131. Such is not the case here. For at least these reasons, claim 90 should be allowed.

In the final Office action, the Examiner maintained the rejection of claim 90, stating that Schneider teaches “checking the status at a predefined frequency.” Respectfully, the Examiner misreads the reference. Schneider says nothing about “checking the status at a predefined frequency.”

The Examiner further points out that Schnieder offers, “the option of checking the availability of other domain names.” Office action, page 4. Checking the availability of *other* names is irrelevant to the language of claim 90, which depends from claim 88, in which “the status” refers unambiguously to “monitoring a status of the first registration.” (Base claim 33) It does not refer to the status of any domain names other than the single one identified in claim 88. This ground for rejection should be reconsidered and withdrawn.

Regarding claim 91, the claim calls for:

“91. (Previously presented) A method according to claim 90, further comprising:
predicting an earliest moment of registrability for the domain name based on the expected deletion date; and

increasing the frequency of said checking, proximate to the predicted earliest moment of registrability.”

The Examiner rejected this claim, relying solely on citation to Schneider, column 24, lines 34-37, with respect to the first step of “predicting an earliest moment of registrability.” Applicant once again dissents. Schneider discloses NO attempt to predict an earliest moment of registrability. *Predict* connotes in advance. To the contrary, Schneider discloses sending notification after the fact – only *after* the name has become available, not before. Or, Schnieder suggests sending a list a month in advance, of names that *may* become available (or not), as discussed above. Because Schnieder makes no attempt to “predicting an earliest moment of registrability,” it has no ability to “increasing the frequency of said checking, proximate to the predicted earliest moment of registrability.” Schneider has no clue when to accelerate checking or pinging the registry, until after the name is purged and already open to any and all new registrants.

Schneider discloses nothing about a deletion date, as noted previously. Applicant’s specification explains, for example, “The present invention can then periodically and automatically check with one or more combined registries/registrars or a central registry and

automatically register a name if the name is available, or re-register a registered name if the registration period has expired and the name is about to delete.” Paragraph [0036] (emphasis added). Further, according to Applicant’s specification, paragraph [0042]: “For example, the scope of acquisition services can encompass monitoring all changes in the registration record for a given domain name. ... If the registration expires and the domain deletes, the domain name can be acquired automatically and instantly on behalf of the subscriber.” (Emphasis added.) The name must delete before it becomes registrable, as illustrated in FIG. 3 above.

Because Schneider’s system does not, “predict[] an earliest moment of registrability for the domain name, it cannot possibly, “increas[e] the frequency of said checking, proximate to the predicted earliest moment of registrability.” For at least these reasons, Schneider does not anticipate any of claims 89-91.

(Claims 92-94 were rejected under Section 103 and are discussed below.)

Claims 107, 108, 109, 110 and 121 also were rejected as allegedly anticipated by Schneider. Claims 107 and 108 are not argued as independently patentable apart from the base claim. Claims 109 and 110 now depend directly from amended claim 33. They should be allowed for the reasons explained with regard to claim 33. Claims 118-121 are discussed below.

As noted above, Schneider teaches conducting a search of a domain name, and then either: (a) redirecting to a registration service if the name is not already registered; or (b) providing current registrant information (e.g., contact info) if the name is registered.³ Claim 33, by contrast, begins with a name that is registered, identifies “an interested party desiring a succeeding registration for the domain name,” monitors its status, and then “automatically [effects] the succeeding registration when the status of the first registration indicates that the domain name is registrable”. The Schneider process and the method of claim 33 are two *very* different processes.

³ “A WHOIS request is performed to determine domain name availability. When a domain name is already registered (e.g., determined not available), registrant information may be provided to the client system. However, when the domain name is available, a registration form may be processed and submitted to a registrar and/or registry and to its [*sic*] partners and/or affiliates”. Column 14, lines 15-19.

Schneider discloses publishing a list of names that are “soon to be available” based on their expiration dates, but there is no disclosure in Schneider of “*automatically effecting* the succeeding registration to the interested party” per claim 33, and further there is no disclosure of, “identifying a second interested party; and auctioning the succeeding registration between the interested party and the second interested party,” per claim 107. Even if a second user indicated interest in a name in response to the publication of a list of names that are “soon to be available,” Schneider does not teach auctioning the name as between those two parties. Rather, the passage cited by the Examiner refers to Schneider’s proposal to return search results in response to a query or search for a particular name. Schneider says:

“FIG. 3*b* illustrates how search results may be enhanced by providing links to URIs of meta-information generated from domain names in accordance with the present invention...”. “Domain name status may indicate whether the domain name is available for sale, license, or lease by the registrant or through an auction and/or listing service”. Column 14, lines 37-52. Thus while Schneider implies that auctioning a domain name in general is known, it does not enable the steps of Applicant’s claims 107 et seq. Claims 108, 109, 110, 121 are not argued as independently patentable. Claim 117 is not argued as independently patentable apart from the base claim.

Claims 118-121. Claim 118 recites: “A method according to claim 33, wherein the first registration is maintained by a registry and sponsored by a registrar, and further comprising:

prior to a purge of the first registration from the registry, re-allocating the domain name to a selected entity, whereby the domain name is not deleted by the registry”.

The subject matter of this claim not only is not anticipated by Schneider, it is squarely contrary to the teachings of Schneider. Schneider discloses directing a user to a registrar or a registration service to register a desired name when, and only when, a search result shows that the name is NOT currently registered. Schneider also talks about making a list of names soon to be available, but it is clear throughout Schneider’s patent that AVAILABLE means publicly available for registration by anyone; this occurs only AFTER the name (the preexisting registration) has been purged from the Registry. Schneider nowhere suggests a re-allocation of the name prior to purge.

The Examiner cited two passages from Schneider. The first passage was discussed above and does not support the rejection. The second reads, regarding a web site interface:

“ ‘Watch **example.com**’ may enable a user to add "example.com" to a watch list for notifying the user as to similar domain names registered or to notify that ‘example.com’ is available or may soon be available for registration. ‘Renew example.com’ enables a registrant to extend the expiry date of ‘example.com’ and provide the option of transferring from one registrar to another. ‘Transfer example.com RegistrarA to RegistrarB’ may enable a registrant to transfer ‘example.com’ from a current registrar A to a new registrar B.”

Schneider thus describes possible actions by a user—namely, the current Registrant of a name, for example, to watch the status of a name. The “Transfer” action here is described as enabling the registrant to transfer his domain name, “from a current registrar A to a new registrar B.” That action changes the sponsoring Registrar—it does NOT re-allocate the name to a different *registrant* as recited in Applicant’s claim. Indeed, a user/ Registrant has no ability to directly re-allocate a name to a new registrant prior to purge; it must be done by the sponsoring Registrar. (After purge, the former Registrant cannot do anything relative to the name, other than request a new registration through a qualified Registrar, just like everyone else.) For at least these reasons, the rejection of claims 118-121 should be reconsidered and withdrawn.

Claim 122: “A method according to claim 121 wherein said auctioning is conducted prior to the first registration entering a ‘pending delete’ status”. (Emphasis added.) Schneider mentions auction of a registered domain name at the request of the current registrant. Schneider does not disclose auction of an expired domain name between the expiration date and the first registration entering a ‘pending delete’ status. In prior art, it was known to auction a live, currently registered name, the sale by auction being initiated by or for the current registrant. One important aspect of the invention of claim 122 is conducting an auction of an expired domain name registration before it enters the pending delete status, at which time the sponsoring Registrar no longer has control of the name. For at least these reasons, the rejection of claim 122 should be reconsidered and withdrawn.

Claim 123 is not argued as independently patentable apart from claim 33.

Claim 124 was rejected on the same grounds as claim 33 (Office action, page 3). Applicant respectfully traverses for the same reasons as set forth above with regard to claim 33.

Claim 125, as currently amended, recites:

125. A system according to claim 124, wherein:

the domain name is sponsored by a registrar having access to a registry that maintains the first registration;

said means for identifying the domain name includes an input means for receiving an indication of the domain name; and

said means for monitoring the status of the first registration includes an acquisition array coupled to the input means and integrated with the registrar so as to enable the acquisition array to determine the status of the first registration and to immediately effect registration of the domain name when the status indicates that the domain name is registrable;

wherein the acquisition array implements a plurality of communication connections directly into the registry, the communication connections being associated with a plurality of different cooperating domain name registrars.”

Schneider does not disclose or suggest the limitations of this claim. It should be allowed.

III. CLAIM REJECTIONS BASED ON ALLEGED OBVIOUSNESS

A. Claims 92, 93, 94 as noted are not argued as independently patentable. They all depend from claim 89 which in turn depends from claim 88 which in turn depends from claim 33, each of which is patentable at least for the reasons explained above regarding alleged anticipation.

B. Claims 104, 105, 106 and 111-116 were rejected as unpatentable over Schneider in view of Hollenbeck et al. Claims 104-106 are not argued as independently patentable. Claim 111 is patentable for at least the following reasons. It recites:

“111. (Previously presented) A method according to claim 33, wherein the first registration is maintained by a registry, and further comprising:

determining a deletion time period during which the first registration is expected to delete from the registry; and

during the deletion time period but prior to deletion from the registry, requesting a next registration of the domain name to succeed the first registration.”

The Examiner observed that “Schneider fails to teach explicitly further determining a deletion time period during which the first registration is expected to delete from the registry”. See Office Action, page 10, last paragraph. The Examiner asserts that Hollenbeck teaches that limitation, and further teaches, during the deletion time period but prior to deletion from the registry, requesting a next registration of the domain name to succeed the first registration. Office Action, page 11. And finally, the Examiner contends that it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Schneider in view of Hollenbeck to arrive at the claimed invention. One would have been motivated to do so, the Examiner states, “to allow updates to domain names registered by the registrar (page 3, [0036]; page 5, [0051])”. Applicant emphatically traverses this ground of rejection at least because, even assuming *arguendo* that the proposed combination were proper, Hollenbeck (a) does NOT teach determining a deletion time period; and (b) does NOT teach the last claim limitation. Consequently, the combination does not render the claim as a whole unpatentable.

Hollenbeck discloses at [0036]:

“The apparatus and method of the present invention processes domain name registration operations in a shared registration system comprising a plurality of registrars providing internet domain name registration services within the TLDs administered by a registry. Registrars access the registry through a registry-registrar protocol (RRP) to register domain names and perform domain name-related functions such as the registration of name servers, renewal of registrations, deletions, transfers, and updates to domain names registered by that registrar. Registrars have a web-based interface to access the registry to perform administrative functions, generate reports, perform global domain name updates, and perform other self-service maintenance functions not available via RRP. The RRP is implemented by the registry to provide adequate security and authentication functions to protect the registry database while supporting all necessary registrar operations.”

Hollenbeck thus describes the basic SRS shared registration system and, more specifically, a web-based interface for authorized Registrars to access the Registry to perform various functions. At best, in accordance with Hollenbeck, a registrar might access the registry and find that a registration was past expiration and pending deletion. To grab the name, i.e., “during the deletion time period but prior to deletion from the registry, requesting a next registration of the domain name to succeed the first registration,” (claim 111) is taught by Applicant, not by Hollenbeck. Hollenbeck merely shows that a registrar *could* renew or transfer a name, if it was not too late. Hollenbeck [0051] further described the SRS system. This falls far short of the invention presently claimed. For at least these reasons, the rejection of claim 111-113 should be reconsidered and withdrawn.

Claim 115 recites: “A method according to claim 33, wherein the first registration is maintained by a registry, and further comprising:

obtaining a list of deleting domain names maintained by the registry associated with an upcoming deletion date; and

if the first registration is on the list, prior to actual deletion of the first registration, requesting a new registration of the domain name to succeed the first registration.”

The Examiner did not explain the grounds for rejection of this claim; it was grouped together with claims 33, 111 etc. This claim requires “obtaining a list of deleting domain names maintained by the registry associated with an upcoming deletion date”. Schneider teaches obtaining a list of expired domain names, which is not the same as deleting names. Expired names are often renewed before moving to deletion, which is of course why Schneider states that they MAY soon be available for registration (or may not). Schneider does not disclose a list of deleting names from the registry, and certainly does not disclose a list “associated with an upcoming deletion date”. The last limitation of the claim requires such a list. Hollenbeck does not disclose it either. For at least these reasons, the rejection of claim 115 should be reconsidered and withdrawn, or the Examiner should fairly make out a *prima facie* case of obviousness to which the Applicant can respond.

Snapnames.com, Inc.

By /MICAH D. STOLOWITZ/

Micah D. Stolorowitz
Registration No. 32,758

STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, OR 97204-1268
Telephone: (503) 224-3380
Facsimile: (503) 220-2480
Attorney Docket No. 10720/2:4